

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

Re: FOIA No. FY19-67,
First Rolling Response

JUL 2 2019

VIA ELECTRONIC AND REGULAR MAIL

Mr. Austin Evers
American Oversight
1030 15th Street, NW
Suite B255
Washington, D.C. 20005
foia@americanoversight.org

Dear Mr. Evers:

This is a response to your correspondence accepted on April 22, 2019, in which you requested information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, *as amended by* the FOIA Improvement Act of 2016, Pub. L. No. 114-185, 130 Stat. 538 (2016), and the Federal Energy Regulatory Commission's (Commission) FOIA regulations, 18 C.F.R. § 388.108 (2019). Specifically, you requested:

All email communications (including emails, email attachments, calendar entries, or any other records reflecting communications) with Wells Griffith, Francis Brooke, and Brooke Rollins.

An ongoing search of the Commission's non-public files has identified nine documents responsive to your request, emails between Commission staff and Mr. Francis Brooke. At this time, Commission staff has determined that four of the documents will be redacted and released with minor redactions pursuant to FOIA Exemption 6.¹ FOIA Exemption 6 protects files the disclosure of which would constitute a clearly unwarranted invasion of privacy. The remaining documents will be released in their entirety.

Commission staff will continue to review its non-public files for responsive documents and will endeavor to provide you with another determination within 20 business days of the date of this letter. Additional determinations addressing the remaining documents, including the attachments to the emails released in this response, will follow on a rolling basis.²

¹ 5 U.S.C. § 552(b)(6).

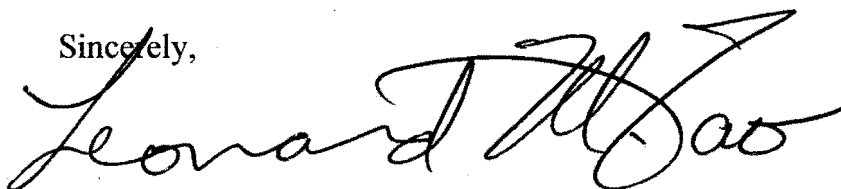
² See *S. Yuba River Citizens League v. Nat'l Marine Fisheries Serv.*, No. Civ. S-06-2845, 2008 U.S. Dist. LEXIS 107177, 47 (E.D. Cal. June 20, 2008) (supporting the practice of releasing documents on a rolling basis); *Hinton v. Fed Bureau of Investigations*, 527 F. Supp. 223, 225 (E.D. Penn. 1981) (noting that rolling responses

Ordinarily, any appeal from a FOIA determination must be filed within 90 days of the date of issuance as provided by the Freedom of Information Act and 18 C.F.R. § 388.110(a)(1) of the Commission's regulations. However, because your request is being processed on a rolling basis, the Commission will hold your appeal rights in abeyance pending a final determination. This will allow you to file a single appeal at the conclusion of our processing of your request.

If you decide to appeal, this appeal must be in writing, addressed to James P. Danly, General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, and clearly marked "Freedom of Information Act Appeal." Please include a copy to Charles A. Beamon, Associate General Counsel, General and Administrative Law, at the same address.

You have the right to seek dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services (OGIS). Using OGIS services does not affect your right to pursue your appeal. You may contact OGIS by mail at Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at (301) 837-1996; facsimile at (301) 837-0348; or toll-free at 1 (877) 684-6448.

Sincerely,



Leonard M. Tao
Director
Office of External Affairs

Enclosures (9)

preserve the government's right to carefully review material while promoting FOIA's disclosure goals); *see also* U.S. Dept. of Justice, *FOIA Post*, "OIP Guidance: The importance of Good Communication with FOIA requesters," (posted 2010) (stating agencies should provide rolling responses for requests involving voluminous material.).

From: Anthony Pugliese
To: Francis Brooke
Date: Monday, August 06, 2018 8:06:52 PM

1

Give me a buzz

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Anthony Pugliese
To: Francis Brooke
Date: Monday, July 02, 2018 3:26:43 PM

2

I'm on campus if you have a few

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Anthony Pugliese
To: Francis Brooke
Date: Wednesday, June 20, 2018 11:07:13 AM

3

Giving a regulatory reform presentation today at the White House if you want to catch up for a few minutes afterwards

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Anthony Pugliese
To: Francis Brooke
Date: Tuesday, August 14, 2018 2:47:45 AM

4

Hey buddy,
What time would work for me to come your way Friday? I can make anytime before 2 work. Let me know what works for you and then if you could have someone wave me in I'll swing by

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Anthony Pugliese
To: katharine_macgregor@ios.doi.gov; James Danly
Cc: Francis Brooke
Subject: MVP
Date: Monday, August 13, 2018 4:33:27 PM

5

Kate and James,
I just talked to Francis and we were hoping you two may be able to connect via phone to have a quick conversation?
Kate what would work for you?

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Anthony Pugliese
To: Chris Beck; b6 Francis Brooke @who.eop.gov
Subject: Energy Infrastructure
Date: Tuesday, May 15, 2018 4:14:00 PM

6

Chris,

I wanted to introduce you to Francis Brooke who is helping run the energy portfolio over at the NEC. Francis, Chris was looking to engage with a few folks within the admin on some energy/electric infrastructure activities they are engaged in with FERC/DOD/DHS/DOE. They do a lot with our federal partners, but also with outside stakeholders like EEl and generators, specifically on areas of cyber threats, EMP/GMD, and black sky events. They are also hosting a conference in London with many of your counterparts that you may have interest in if possible.

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: MacGregor, Katharine
To: James Danly
Cc: Anthony Pugliese; Francis Brooke
Subject: Re: [EXTERNAL] RE: MVP
Date: Monday, August 13, 2018 8:06:13 PM

7

10am tomorrow would be great.

On Mon, Aug 13, 2018 at 4:51 PM, James Danly <James.Danly@ferc.gov> wrote:
Anthony,

I am free this afternoon / evening and tomorrow morning starting at 10:00.

V/r,

James

-----Original Message-----

From: Anthony Pugliese
Sent: Monday, August 13, 2018 4:33 PM
To: katharine_macgregor@ios.doi.gov; James Danly <James.Danly@ferc.gov>
Cc: Francis Brooke <[@who.eop.gov](mailto:b6 Francis Brooke)>
Subject: MVP

Kate and James,
I just talked to Francis and we were hoping you two may be able to connect via phone to have a quick conversation? Kate what would work for you?

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

From: James Danly
To: Anthony Pugliese; katharine_macgregor@ios.doi.gov
Cc: Francis Brooke
Subject: RE: MVP
Date: Monday, August 13, 2018 4:51:10 PM

Anthony,

I am free this afternoon / evening and tomorrow morning starting at 10:00.

V/r,

James

-----Original Message-----

From: Anthony Pugliese
Sent: Monday, August 13, 2018 4:33 PM
To: katharine_macgregor@ios.doi.gov; James Danly <James.Danly@ferc.gov>
Cc: Francis Brooke [b6 Francis Brooke] @who.eop.gov>
Subject: MVP

Kate and James,

I just talked to Francis and we were hoping you two may be able to connect via phone to have a quick conversation?
Kate what would work for you?

Anthony J. Pugliese
Chief of Staff
Federal Energy Regulatory Commission

From: Chris Beck
To: Anthony Pugliese
Cc: b6 Francis Brooke, @who.eop.gov; Jim Kish; Kelly Cullinane
Subject: Re: Energy Infrastructure
Date: Wednesday, May 16, 2018 9:34:55 AM
Attachments: Outline Draft Summit IX London Rev 2.docx
 CPIC Whitepaper.pdf

Thank you Anthony and Hello Mr. Brooke,

Our organization, the Electric Infrastructure Security Council (EIS) Council (www.eiscouncil.org) hosts national and international discussions focused on enhancing critical infrastructure resilience to severe, 'Black Sky' hazards.

We have many initiatives and document best practices for CI resilience. Our flagship annual meeting, the EIS Summit Series that Anthony mentioned, will convene this year in London on June 25-27, 2018.

We hope to have a fairly accurate agenda by next week, but in the interim, I'm attaching an agenda overview, a whitepaper describing the CPIC meeting on June 27, and a link to a summary of our last London Summit in 2016 is here:

https://www.eiscouncil.org/App_Data/Upload/summitMedia/5cb3e3c3-0f88-4ba6-9465-a45e3f31c94b.pdf.

If you have interest/availability, please let Kelly Cullinane, our Summit Coordinator (cc'd) and I know, and we will help with registration. We only have until the end of the week to secure the hotel at the discounted Summit rate, but this may not be an issue for USG personnel. I know this is a short turn-around, but if the Summit doesn't work this year, we look forward to meeting with you at another time to discuss mutual areas of interest.

Very Best Regards,
 Chris

Chris Beck
 Electric Infrastructure Security Council
 p: 202-248-5025
 f: 202-289-6539
 e: chris.beck@eiscouncil.org

On Tue, May 15, 2018 at 4:14 PM, Anthony Pugliese <Anthony.Pugliese@ferc.gov> wrote:

Chris,

I wanted to introduce you to Francis Brooke who is helping run the energy portfolio over at the NEC. Francis, Chris was looking to engage with a few folks within the admin on some energy/electric infrastructure activities they are engaged in with FERC/DOD/DHS/DOE. They do a lot with our federal partners, but also with outside stakeholders like EEI and generators, specifically on areas of cyber threats, EMP/GMD, and black sky events. They are also hosting a conference in London with many of your counterparts that you may have interest in if possible.

Anthony J. Pugliese

Chief of Staff

Federal Energy Regulatory Commission